

UNITED STATES OF AMERICA,	}	Case No. 2:07-cr-00091-ECR-PAL
Plaintiff,		
vs.		ORDER
KEVIN WHITE,		
Defendant.		

On September 30, 2011, Defendant filed a letter (#45) which the Court treated as a motion for discretionary relief pursuant to 18 U.S.C. § 3582(c)(2). The motion was treated as seeking relief in light of the changes in crack cocaine laws and guidelines. The Court appointed attorney Todd Leventhal (#57) to represent Defendant and to, among other things, file a report with the Court indicating whether Defendant was eligible for relief under the changed law and guidelines.

Attorney Leventhal has filed his report (#357) which clearly indicates that Defendant is not eligible for the relief he seeks. The opposition (#50) filed by the Government to Defendant's motion (#45) also argues persuasively that Defendant is not eligible for relief under the changed law and guidelines.

In the meantime, Defendant has filed a pro se response (#58) to the

1 Government's opposition (#50) to Defendant's motion (#45). The pro per
2 response essentially addresses matters unrelated to the new law and guidelines
3 respecting crack cocaine convictions in this Court.

4 THEREFORE, IT IS HEREBY ORDERED that attorney Todd Leventhal
5 is relieved of his appointment to represent Defendant Kevin White in this matter
6 and shall be terminated as counsel by the Clerk of the Court. The Court
7 appreciates Mr. Leventhal's prompt and thorough consideration of this matter.
8 Defendant may now proceed pro se on his own without representation.

9 IT IS FURTHER ORDERED that Defendant shall have 21 days within
10 which to file pro se any additional points and authorities for the Court's
11 consideration in support of his motion (#45). The Government will then have 21
12 days within which to respond to any such points and authorities as are filed by
13 Defendant. There will be no further briefing in the matter unless the Court orders
14 further briefing.

15 Dated this 23rd day of November 2011.

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18 EDWARD C. REED, JR.
19 United States District Judge
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